

COLONEL MAHLON BURWELL

BY

ARCHIBALD BLUE.

PAPER READ BEFORE
THE
CANADIAN INSTITUTE

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COLONEL MAHLON BURWELL, LAND SURVEYOR. BY ARCHIBALD BLUE, DIRECTOR OF THE BUREAU OF MINES, TORONTO.

(Read April 22nd, 1899).

I have read all the letters and journals of Mahlon Burwell to be found on the shelves and in the vaults of the Surveys office of the Crown Lands Department, and if in the use of them I were to follow the example of Carlyle in his *Oliver Cromwell* I would make a large book. But Burwell has been dead only a little more than fifty years, and his journals and letters have not yet attained a richness

of age, not even those of ninety years ago. The paper is but slightly yellowed, the ink is but faintly faded, and the penmanship is neat and flowing. I was going to say that they are as legible as if written yesterday, but that would be an odious comparison in view of the fact that in our time and in our own city good writing, like spelling and reading, has gone out of fashion, if it has not become a lost art. By the end of the twentieth century the old records of the Crown Lands Department will begin to have value, and if the Burwell papers are preserved until then some writer on Canada in the Nineteenth Century will find them out and make them live again in history. But will they be preserved? A few of the letters and more than one-half of the journals are already missing from their place, as a consequence, I have no doubt, of a lack of motive to keep the records of the office complete, and of the frequent movings of the seat of Government during the years of the Union of Upper and Lower Canada—to Kingston, to Montreal, to Toronto, to Quebec and to Ottawa.



MAHLON BURWELL.
(From an Oil Painting).

I am to write of Mahlon Burwell as a Land Surveyor, and therefore I shall say little upon other matters in which as a man

active in affairs he took some part. The letters and journals indeed deal closely with the business he had in hand, and only at rare intervals is there a gleam of personal or human interest to lighten up the official soberness. I shall make two or three lengthy quotations from the official instructions and from the journals, to illustrate the methods of ninety years ago, and how difficulties were faced, and how work was done as the methods required. Those were days of military ideas in Canada, and men of the Civil Service, outside as well as inside, discharged their duties with the courage and precision begotten of military discipline. They were not all exemplary men in the highest ranks. Some took advantage of their opportunities, seeking especially to enrich themselves by securing valuable tracts of the public lands either as gifts from the Crown's representative whose favorites they were, or by paying for them at a nominal price; and the Crown's representative himself was not always a man above suspicion. But in the case of Mahlon Burwell I have not discovered the suggestion of an improper act. He appears throughout all the papers and letters as a modest, faithful servant, and as a dignified and highminded man.

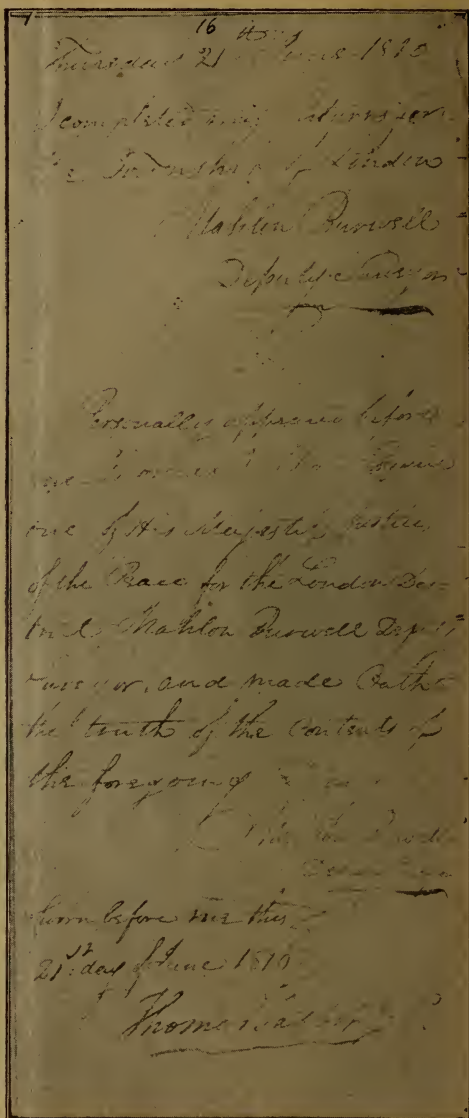
It has been said of Queen Victoria that she reigns but does not govern. This could not be said of the Governors of Canada in the days before responsible government, when George the Third was King. Francis Gore, who was Governor

of Upper Canada from 1808 to 1816, was every inch a Governor, and the administration of the country was in his hands down almost to the smallest detail. He kept a watchful eye upon the public domain, and, following the good example set by Simcoe, he sought diligently to promote its settlement.

In May, 1803, Col. Thomas Talbot commenced the settlement known by his name on the shores of lake Erie, in what is now Elgin county. Next year an expenditure of £250 currency was made under his direction in building a road through his lands. When Gore became Governor a memorial was addressed to him by Talbot, praying for a plan of settlement similar to the one adopted in the formation of Yonge street, which in Talbot's opinion would result in completing the road to the full extent of the first intention. The matter was referred to the Executive Council, who reported to the Governor that the district to be served by the proposed road was very thinly inhabited, that in no other part of the Province was the want of facility of intercourse more sensibly felt and experienced, and that the money already expended would be entirely lost to the public if the design of continuing the road was frustrated. Besides, it was felt that a highway extending through the country and occupied by a good class of settlers would add to the value of the large adjoining block of land which had been set apart in Southwold, Yarmouth and Houghton as the source of a fund for public schools. It was therefore advised that a grant of lots of 200 acres should be made to persons willing to become settlers on each side of the projected road, subject to these conditions, viz: (1) That within two years from the time each settler was permitted to occupy a lot he should build thereon a good and sufficient dwelling house of at least 15 by 20 feet in the clear, and occupy it in person or by a substantial tenant. (2) That within the same time he should clear and fence ten acres, and clear and open up one-half of the width of road in front of his lot, and cut down all trees within a hundred feet of the road. But as the lots proposed to be granted under this scheme were parts of the lands set apart for public schools, it was recommended that land of equal extent and value should be appropriated elsewhere for the same object.

The office of Surveyor General was vacant at this time, and was occupied by Messrs. Chewett and Ridout as acting Surveyors General.* They were commanded

* December 26th, 1810, Secretary William Halton was commanded by the Lieutenant Governor to inform Thomas Ridout, Esquire, Surveyor General, that he had been pleased to appoint William Chewett, Esquire, to be first clerk in the Surveyor General's office from the first of July last, in the room of Mr. Ridout himself, promoted to the office of Surveyor General from the same date. Mr. Ridout held the place about eighteen years, and again Mr. Chewett became acting Surveyor General, but he never attained the full rank.



A PAGE FROM THE LONDON TOWNSHIP JOURNAL.
 Reduced to $\frac{2}{3}$ size.

by the Lieutenant-Governor—his orders were always in the form of commands—to send a surveying party into the London District to survey and lay out the new road, and upon the recommendation of Col. Talbot the post of surveyor was offered to Mahlon Burwell, being his first commission from the Government. The instructions, under date of March 24th, 1809, were in the following terms :

“In obedience to His Excellency, the Lieutenant-Governor’s commands to us, bearing date the 17th February, 1809, to send a surveyor and a sufficient party, as soon as the season will permit, to complete certain surveys in the London District recommended by the Executive Council and approved by His Excellency the Lieutenant Governor, upon a petition submitted to the Board from Thomas Talbot, Esq., of Port Talbot, who has recommended you to carry the said survey into execution.

“You are hereby required and directed without loss of time, as soon as the season will permit, to survey and lay out a road to pass through the aforesaid townships upon the principle of Yonge street, by making the said road in breadth one Gunther’s chain, and laying out lots thereon of 20 chains in breadth on each side of the same, leaving a road on the side lines of each of the said townships, and a road between every five lots in each of the same, of one Gunther’s chain.

“For this survey your pay will be 7/6 per day, with an allowance in lieu of rations of 1/3 Provincial currency per day.

“Your party is to consist of eight men, that is to say, two chainbearers and six axe men only, considering the country through which you have to pass is lightly wooded, by having little or no underbrush.

“The chainbearers will be allowed 2/- per man per day. The axemen will be allowed 1/6 per man per day, all Provincial currency, and you will be allowed for each ration furnished to your party 1/3 Provincial currency per man per day.

“The ration to be of the following species, viz., 1½ lb. flour, ¾ lb. of pork and ½ pint of peas.

“You are to understand that this allowance to you of 1/3 Provincial currency per man per day for each ration is to cover all expenses whatsoever, such as transport, batteau hire, camp kettles, axes, tommyhawks, tents, bags, snowshoes, etc.

“The chainbearers must be sworn to the faithful discharge of their trust before they enter upon their operation. This you are authorized to do yourself, under an Act of the Province of Quebec, no law in the Province of Upper Canada having been made to the contrary ; but it will appear more solemn and have a better effect to have it performed by a magistrate.

“The whole of your party, being eight in number, are actually to be employed in the field without any subterfuge, as you will be obliged to make oath to this fact. But should you not be able to engage the whole of your party—that is to say eight men, including axemen and chainbearers—you are to bear no more men on your pay list than those who are actually employed in the field.

“Should you be under the necessity of discharging any of your party before the survey is completed, you must keep four open pay lists for that purpose, which the person so discharged must sign, whose signature must be witnessed by some person of respectability (if possible), and those who remain with you are also to be borne on the said pay list, a form of which is herewith enclosed for your guidance, so that the whole of the expense incurred on your survey shall not exceed the number of men your party is rated at, which must be sworn to according to the form given.

“You must keep a field book of the whole of your operation, noting everything worthy of remark, but in particular the white and yellow pine, and the lots on which it is to be found, which must be so clear and distinct that the whole thereof may be traced on the plan, not only by a surveyor but by any person who can read writing, which must also be sworn to and returned with your pay lists and vouchers.

“You must keep a diary or journal, clearly explicit, as how you have expended your time, in which you must enter everything worthy of remark, particularly the white and yellow pine fit or not fit for masting according to the best of your knowledge and belief, and such mines and minerals, etc., that you may pass in the course of your operation, noting the lot and concession whereon the

same may be found, as directed in your field book, and you must be particularly careful in your diary or journal to enter the time and names of the persons whom you engage and discharge, according to their respective dates, so that the same may correspond with your pay list, which also must be sworn to and returned with your vouchers.

"Your pay list and vouchers for your pay, ration and abstract must be in quadruplicate.

"The rough plans of Yarmouth, Southwold and Houghton, herewith sent to assist you in your operation, on which are laid down imaginary lines upon which the courses of the road are supposed to run, the situation of which must be determined by measuring on the side lines of the several townships from lake Erie, until you intersect the road you are to lay out, when it is completed, which must be returned with the fair plans of your operation, on which must be laid down in a clear and distinct manner the mountains, hills, rivers, marshes, meadows and swamps, or whatever else may occur that may be remarkable for its singularity or utility.

"The principle on which Yonge street is laid out is, that the lots are 20 chains in front by 100 chains in depth; therefore it is requisite to observe that whatever obliquity you may have occasion to make from the concession lines of those townships hereafter to be run, making Yarmouth as the centre township the governing one for the three townships, then you will have to calculate the obliquity of the same on the angle or difference deviating from the concession lines of the township of Yarmouth, which Mr. Chewett will explain, and show you the method of calculating should you be unacquainted the nature thereof. The plans of Southwold, Yarmouth and Houghton, sent with these instructions, will point out how far this can be carried into execution.

"You must always have in remembrance that you cannot approach nearer to lake Erie with the rear boundary forming the concession on the road to be laid out than the rear boundary of the 7th concession in Yarmouth, nor the rear boundary line of the 4th concession in Southwold from the river Thames, which have been so far conceded.

"You must not, however, set out to commence your operation until such time as you have reason to believe that the waters have sufficiently left the woods, that there may be no plea of delay by being obliged to hire your party and to commence your operation at an unseasonable time of the year.

"A reasonable time when you arrive at Port Talbot will be given to you for the hire of your party and purchasing your provision, which it is supposed may be done at one and the same time, and also for going to and coming from your place of residence to Port Talbot, and for making up your plans and vouchers, and no more, and every exertion that a surveyor is capable of in carrying the same into execution with accuracy and dispatch is expected from you."

A party of surveyors usually consisted of ten men besides the chief, but as the woods in the west were supposed to be more open than elsewhere, Mr. Burwell concluded that he could effect the work with eight men, and so that number was placed in the instructions. He apprehended, however, that men could not be hired at the Government rate of wages, as they were accustomed to receive more from the farmers. Accordingly the Governor in approving the instructions agreed that "should it be impossible to procure men to assist the surveyor at the usual price, Col. Talbot must be requested to certify the lowest wages they are to be had for, which will be allowed upon this location." The regular rate continued without alteration for a long period. In 1797 it was the same as in 1809, but in 1815, after the close of the war, rates were increased, owing to the higher cost of living. "The notice you have taken of the prices of Labor and Provisions having risen within the last three or four years is very cogent," Mr. Burwell wrote to Mr. Ridout from Southwold, in November, 1815. "Provisions are dear here and Labor is high, which I expect is pretty generally the case throughout the Province. Farmers are giving from fifteen to eighteen dollars per month to laborers, which will make it difficult, if at all practicable in the present state of affairs, to execute the Surveys required at the former established rates. As to myself, I must confess that it is an arduous undertaking to be in the Wilderness exposed to the inclemencies of the Weather long at a time. It certainly impairs one's health. An increase of pay is desirable—but

it would be indecorous for me to state my humble opinion of what it ought to be. The circumstances which lead you to mention it, are sufficiently known to yourself as Surveyor General, and I shall be content with such additional pay as the Lieutenant Governor in Council shall deem expedient to establish." The scale was made 10s currency per day for surveyors, 3s 9d for chainmen and 2s 6d for axemen, with the usual allowance for rations. In 1818 a new scheme was introduced. Surveys of townships were let under contract, and payment was made in a percentage of the lands. The common allowance was $4\frac{1}{2}$ per cent., but if the land of a township was shown to be marshy or the quality of it poor, the percentage might be drawn from lands elsewhere.

Economy was enjoined upon all surveyors, and the records show that it was rigidly exacted. "You will pay the strictest attention to the economy of your time," Surveyor General Smith advised Abraham Iredell in 1803, "as the most minute scrutiny will be made in respect of the same." There was an audit of the accounts in Toronto, and afterwards an audit in London before they were finally passed, and for this reason all accounts and vouchers were required to be made out in quadruplicate.

It will easily be understood that on the allowances for wages and rations a surveyor could not be generous. In most cases he went into the woods without even a tent, and when it rained the men peeled bark from the trees and made a rude shelter of it. But as the bark will not always peel, it would happen that the party had to lie down without any covering, and in the journals of Mr. Burwell there are frequent notes of this kind of experience. There was no allowance of tea or coffee with the rations of flour, pork and peas, and the early records do not give a hint of any other beverage. But twenty years after Burwell's earliest venture as a land surveyor, when Roswell Mount of Caradoc was provisioning a party to lay out a township on the St. Clair river—it was named St. Clair, but has since been divided into the townships of Sarnia and Moore—he began with the purchase of a barrel of pork, a barrel of flour and a barrel of whiskey.

We have travelled far since those early days, as witness some articles in the allowance of stationery supplied to the surveyor of ninety years ago, for which he gave to the Surveyor-General a detailed receipt. One item is 25 quills, for although steel pens were made before the close of last century, they did not come into general use until the middle of the present one. Another was a stick of sealing wax to seal letters, long before the days of the envelope. A third was a piece of mouthglue, so completely gone out of use that a specimen of it would be a curiosity now. A fourth was "one Indian rubber," and a sample in my possession is as dry and hard and brown as a mummy of the days of old Rameses. There were also papers of ink-powder, black and red, but men under sixty may remember the use of ink powders. Some of us, whose faces have not lost the country bronze, who lived in the country school sections, twelve miles away from the nearest general store, may even recall memories of the fluid we helped to compound in an iron pot from the inner bark of the swamp maple, with green vitriol and sugar added—ink of just a slightly deeper shade of purple than Emperors were wont to use in writing their names, which shone like varnish on the paper and crackled like burning brush when the copy-book was opened, and was viscous enough to arrest a housefly. I think that I could identify that swamp-maple ink upon the written page after a lapse of ninety years; yet, in spite of the scrutiny and microscopic economy of the audit office, I am sure that Mr. Burwell was never forced down to the level of using it, at all events not in his official correspondence nor in his journals. But the records afford not a few illustrations of the infinitesimal mind that directed the audit office when Francis Gore was Lieutenant Governor. One is reminded of Elia's man, John Tipp, of the South Sea House, who thought an accountant the greatest character in the world, and himself the greatest accountant in it. Auditor is Accountant writ large.

The surveyors often were annoyed by delays in the passing of their accounts, although it happened sometimes that the Receiver General was more to blame than the Auditor—when there was no money in the Treasury. This, however, is slightly a diversion, and I come back again to the subject.

Mr. Burwell was enjoined to read his instructions carefully, and not to leave Toronto until satisfied that he understood them; and he was directed without loss

of time, as soon as the season might permit, to proceed with the work, but not until he had reason to believe that the waters had left the woods, so that there might be no fear of delay by commencing at an unseasonable time of the year, with himself and his men idle while under pay. "I have perused my instructions and looked over the plans," he wrote on April 1st, "as carefully and as much as I possibly could for the short time I have had them in my possession, and see nothing to prevent my putting the instructions into execution as soon as time will allow." On the same day he drew the allowance of stationery, and having gone to his home in Bertie township he began to fit out for the enterprise in hand about the middle of May. Four days were spent in making out voucher forms, a field book and plans of the townships, and then he was ready to begin the journey to Port Talbot. I quote a few pages of the journal.

"Sunday 21st May. Could not set out with a Boat on account of the Ice being wafted to the North side of the Lake.

"Monday 22^d May. Believing it would be difficult to hire men enough at Long Point or Port Talbot for my Party to consist of, and being ready to set out I engaged three, by name, Edward Kerr, John and Robert Burwell. Kerr for a Chain Bearer at 2/6 currency per day, and the Burwells at 1/6 per day each. Set out from Fort Erie and reached Point Industry. It rained all Night."

Point Industry is west of Point Abino and Sugar Loaf. It is lot 14 on the lake shore, the most southerly land in Wainfleet, and was patented to David Morgan in 1817. It seems likely, however, that Morgan was an old squatter here, as in the first edition of D.W. Smith's Topographical Description of Upper Canada (1799), Industry Point is also called Morgan's Point.

"Tuesday 23^d May. We set out early in the morning, had contrary Winds, and it rained all day, however, by being assiduous we reached Oustine's Creek.

"Wednesday 24th May. Set out early. Winds still contrary, but reached St. Gust at 11 o'clock a.m., and the Wind breezed up so strongly from the South that we had to put into the mouth of the River for Safety."

St. Gust is one of the several aliases for the most southerly point of Walpole. In Smith it is called St. Dusk or Sangas, and the same name is given to the stream which empties into the lake just east of it. On the U. S. Lake Survey chart the stream is called Sandusky river, and the point itself Peacock Point.

"Thursday 25th May. Reached Colonel Ryerse's in Woodhouse, with some difficulty, by rowing against the West Wind. I embraced the afternoon to enquire for men to engage, but found none.

"Friday 26th May. The Boat I went up in went no farther than Long Point. I went to Dover in quest of one, and of men to assist me, but all to no effect.

"Saturday 27th May. Was told that Stephen Bartow of Charlottesville had a Boat. I went to get it, but he wanted it himself. Made enquiry elsewhere, but could not hear of any in the vicinity of Long Point, and I found no men to engage yet. Mr. Mitchell the schoolmaster informed me that Col. Talbot had taken considerable of pork to his place, and he presumed part of it was intended for me, also that I could get a sufficiency of Flour there, and finding that I could not get a Boat, I concluded to set out on Foot. I could not engage any Men.

"Sunday 28th May. Rained severely the whole day, that I could not start.

"Monday 29th May. Rained until 2 o'clock P.M. I offered two Indians the wages allowed, but they said it was too little. We travelled to the house of Thomas Welch, Esq., tarried all night.

"Tuesday 30th May. Set out early. Mr. Welch sent his son to pilot us to Big Creek, there being no Road to that place. Found the creek very high in consequence of the great fall of rain. Travelled on to within four Miles of Big Otter Creek and encamped. Rained smartly in the night.

"Wednesday 31st May. Hindered some time crossing Big Otter Creek, had to fall a large Hemlock Tree across it, which would have failed us, had not the Creek been narrower below, that the Banks interfered as it swam down. We had to fall a tree across Catfish Creek also and encamped on good land a mile to the Westward of the creek.

"Thursday 1st June. Travelled on to Kettle Creek and had to fall timber across it,—reached Port Talbot after Sunset and it rained in the Night."

At the mouth of Big Otter creek is now the village of Port Burwell, named

after surveyor Mahlon Burwell. At the mouth of the Catfish is Port Bruce. This stream was formerly called by its French name, Barbet river, and a line drawn due north from its mouth was the western boundary of Norfolk county. At the mouth of Kettle creek is Port Stanley, at first called Stirling. The name of this stream, like the one east of it, has also been anglicised, it having been known in the days of the French occupation as the Chaudiere river.

"Friday 2^d June. Colonel Talbot engaged William Coyl to go with me at 2 per day it being the lowest he could be engaged for. Finding it impossible to get either Provisions, or men enough to constitute my Party at Port Talbot, I set out for Long Point in a Bark Canoe, that I might be at the return of the Boats from Fort Erie and engage one to take my Provisions to Port Talbot. The Weather somewhat unfavorable, that we only reached Catfish creek. After conversing with Colonel Talbot I found myself much at a loss how to act, his wishes differed so very much from the tenor of the Instructions I received from the Surveyor General's office."

This difference seems to have been owing to undue haste on Colonel Talbot's part, for the letters show that when he had perused the instructions he did not disapprove the plan.

"Saturday 3^d June. Left Catfish Creek early but were soon interrupted by a head Wind, however we proceeded on to the Three Gun Battery and encamped."

The Three Gun Battery is not now known as a geographical term on the shore of lake Erie, and I have not found it mentioned elsewhere than in Burwell's journal. It is again referred to in connection with a traverse of the front of Houghton. "Proceeded from Big Otter creek down to the Three Gun Battery," the Journal of July 4th notes; "here are immense Sand hills above the regular high Banks, from the summit of which is a prospect of all the surrounding country." Most likely it was a name given to the sand dunes in Houghton, ten miles west of Big creek in Walsingham, eight miles east of Big Otter creek in Bayham, and near to the hamlet of Houghton. There are three hills, which extend for three-quarters of a mile along the lake, and apparently have been built up with the sand blown by winds from the beach. The largest, which is on lot 10 and lies between the other two, is 990 feet long, 300 feet wide, and rises to 195 feet above the water's level. The lake bank itself rises to 70 feet, which is about the average height from Port Dover west as far as the county of Kent. Mr. John Alton of Houghton, to whom I am indebted for this description, has forwarded a sample of the sand, and states that the material of the hills and of the beach is as nearly as possible the same. It is composed almost wholly of grains of silica, with small percentages of felspar, limestone and garnet, all finely rounded. "You may wonder from its appearance," Mr. Alton remarks, "why it does not blow away. But it has the peculiar trait of holding moisture well, and during a season of drought one can kick out moist sand at a depth of one or two inches from the surface." The effect is to keep the hills solid and compact, and there has been little change in their form within the memory of the oldest settlers. They command the best view of lake Erie to be obtained at any point along the coast, and a number of tourists visit them every summer.

"Sunday 4th June. Proceeded on the way, crossed the carrying place, and arrived at Col. Ryerse's at night."

The carrying place from the lake to the head of Long Point bay at the end of last century was a flat of sand about eight chains wide, according to Smith, which sometimes was sufficiently overflowed to be used as a passage for small boats. As late as 1832 there was little or no change in its condition, according to Bouchette, there being a passage for boats through a small brook when the waters were high, and when they were low boats were easily hauled across the slender isthmus. Now Long Point is separated from the mainland by a wide channel of shallow water.

"Monday 5th June. Went in Quest of a Boat and men to assist me, was at the General Training of the Militia and engaged Cornwall Ellis and his Boat to take my Provisions to Port Talbot.

"Tuesday 6th June. I went to Townsend to hire men to go with me, but did not meet with any.

"Wednesday 7th June. I was fortunate enough to procure three Men, by name John Bacon, John Rice and Jesse Millard. I agreed with Bacon for 2/6 per Day with Rice for 2/, and with Millard for 1/4 per Day.

"Thursday 8th June. I engaged Jeremiah Wolfen to go with me for 1/8 per Day and was all in readiness to set out for Port Talbot, but the Wind blew contrarily that I could not proceed, and then Wolfen refused to go at all, and I could not complete my party, but determined to proceed in the morning.

"Friday 9th June. Loaded the Boat early and rowed against the Wind to the carrying place, or Isthmus of Long Point. We took everything across to be ready in the morning.

"Saturday 10th June. Loaded the Boat early and rowed against the Wind to Big Otter Creek; the Wind blew hard and we lay by. About 6 o'clock P.M. it calmed and we rowed up to Catfish Creek by 10 o'clock P.M. there was a heavy swell and when entering the mouth of the Creek the Boat had like to have filled and my Trunk and my Papers got wet, by which some drawing Paper was considerably injured.

"Sunday 11th June. There was such a violent sea that it was impossible to proceed on the way.

"Monday 12th June. The Lake raged most tremendously all day that we could not move out of the mouth of the Creek. So I searched for the limit between the Townships of Yarmouth and Houghton, on both sides of the creek, but all to no effect.

"Tuesday 13th June. Early in the morning I set out with a pretty rough Lake and we rowed hard until 2 o'clock P.M., when we reached Port Talbot.

"Wednesday 14th June. It rained very hard all day that I could not proceed into the Woods. Colonel Talbot altered his opinion respecting the operation and did not wish to deviate from the intent of my instructions and I regretted that I had written the Acting Surveyor-General on the subject."

These extracts from the journals show the difficulties and dangers which beset the early surveyors of our Province in parts of it which were the most easy of access by the best transportation of the time. To reach Port Talbot from Fort Erie with assistants and provisions, Mr. Burwell was occupied twenty-four days, and during much of that period himself and the men were exposed to the stress of weather, without shelter, and sometimes in peril of their lives; and journeying slowly on as best they could, on foot through a wilderness of brushwood and briars, or in open boat coasting a shore of high bluffs on the most treacherous of all the great lakes, which in the months of May and June is peculiarly liable to gales that sweep it for an unbroken length of more than a hundred miles from the south and west. Today a party can leave Toronto in the morning, take a run of 120 miles in a railway coach, drive fifteen miles across country along a finely graded road, and arrive at Port Talbot early in the afternoon of the same day. That fifteen miles embraces the first section of the Talbot road which Mr. Burwell was employed to survey. Some of the best farming land in Canada is to be seen there; and if on reaching the Southwold and Dunwich townline the traveller enquires, he may have pointed out to him the house where Col. Mahlon Burwell lived with his family for a third of a century, as well as the little building of red brick where he kept the register of titles for Middlesex county; and beyond these the quiet churchyard by the roadside where, under the shadow of great forest trees, is a grass-covered mound and a stone with this inscription:

SACRED
TO THE MEMORY
OF
MAHLON BURWELL
WHO DEPARTED THIS LIFE
THE 25TH DAY OF
JANUARY A. D. 1846
AGED 62 YEARS
11 MONTHS AND 7 DAYS.

HE WAS FOR SEVERAL PARLIAMENTS A MEMBER OF THE
HOUSE OF ASSEMBLY FOR THE
COUNTY OF MIDDLESEX, AND
FOR ONE PARLIAMENT MEMBER FOR THE TOWN OF LONDON.

In the plan of this paper I have purposely entered into details of the beginnings of Col. Burwell's work as a land surveyor, to illustrate the value of his letters and journals as materials of history, but without a pretence to elaborate them into literary form—for history is not written hastily in broken hours at the end of a day's work. What remains to be done is the harder task of presenting within the limits of a few pages a clear idea of the extent and nature of Burwell's labors during the next twenty or more years of active career as a surveyor; or down to the time when, though still in middle life, his physical powers had decayed and he was no longer able to execute a commission from his chief. "Should His Majesty's Government require that this township (Dunwich) should be re-surveyed," he wrote to Acting Surveyor-General William Chewett on February 24th, 1832, "may I beg that you will not order me to perform the service, as my health would really not permit me to go into the woods at this time,"—and he suggested the name of another to whom the order might go instead. After that time it does not appear that Mr. Burwell attempted any work for the Government except to finish the surveys of one or two townships which he had commenced long before. A list of his undertakings from 1809 to 1835 includes surveys in whole or in part of the townships of Wainfleet, in Haldimand; Houghton, Middleton and Townsend in Norfolk; Bayham, Malahide, Southwold and North Yarmouth, in Elgin; Caradoc, Ekfrid, Lobo, London, Mosa and Westminster in Middlesex; Harwich, Howard, Orford, Raleigh, Romney, Tilbury East and Zone, in Kent; and Colchester, Gosfield, Maidstone, Mersea, Rochester, Sandwich and Tilbury West, in Essex. The list also includes surveys of the towns of London and Chatham (the latter being a re-survey); of Talbot Road East, from the west line of Southwold to the east line of Middleton; of Talbot Road North, from the west line of Southwold to the junction with the Longwoods Road in Westminster; of Talbot Road West, from Port Talbot to the town of Sandwich on the Detroit river; of the Middle Road, midway between lake Erie on the south and the river Thames and lake St. Clair on the north, from the east line of the township of Orford to a point of junction with the Talbot Road in the township of Sandwich; of the Brock Road in Wellington, from Guelph to the rear of Flamboro; of the north limit of lands purchased from the Chippewa Indians in 1827, from the northwest corner of Garafraxa to lake Huron; besides several Indian reserves in the counties of Middlesex and Lambton.

The survey of Talbot Road East, or Colonel Talbot's Road, as it was first called, occupied the whole of the season of 1809 and part of 1810; and the work was pushed on without cessation every day the party was in the woods, the only days of rest being the rainy days. The limits between Dunwich and Southwold, Southwold and Yarmouth, Yarmouth and Houghton, and Houghton and Walsingham were first traversed, the western boundary of Yarmouth being intended as a governing line, and the most eligible points of intersection for the road were found in this way. No difficulty was experienced in discovering a suitable location across Southwold and Yarmouth, and only two courses were necessary in the former, made to avoid a marsh in which Talbot creek had its source. The southern part of Yarmouth had been surveyed in 1799, where a grant of 5000 acres was made to Hon. James Baby and his brothers. In the instructions to Surveyor Jones Yarmouth was described as situated between Southwold and Houghton. The original intention was to run the road through the seventh concession, but Mr. Burwell's explorations showed that a more favorable route was one on the line between the eighth and ninth concessions. He reported it as "an extraordinary place for the Street to pass, there is but Four Chains of Swamp the whole way and that not bad." To the east of Yarmouth the country along the projected line was broken by gullies and swamps. "All the creeks of any account between Port Talbot and Long Point," Mr. Burwell observed in one of his letters, "come from the North East to within about eight miles of the Lake, and then run nearly a South course into it." This was the real cause of the difficulty of finding an easy route across Houghton—whose western boundary at that time was the east line of Yarmouth—for the direction of the road was nearly parallel to the main streams in their upper reaches, and it crossed many of their tributaries. But a fairly good route was obtained in the end, which for the last thirty miles eastward lay in a splendid forest of pines. The terminus of the road was at the eastern line of Middleton, where the village of Delhi now stands; but the name of Talbot Road has been applied to one extending eastward through Cayuga in Haldimand.

Mention has been made of the difficulty Mr. Burwell had in procuring supplies of provisions for his first campaign. He was destined to have more experience of the same sort before the end of the season. The quantity which he at first thought sufficient to complete the survey was entirely expended at the beginning of September. Everything was in such a situation that the whole party had to march out, as clothes and shoes were required as well as provisions. The first day they travelled twenty miles and encamped on Big creek. Going by way of Townsend, the settlement on the lake was reached on the third day. But all the flour there had been sent away, and the only thing to be done was to thresh wheat and get it ground. A team was hired to carry a barrel of pork from Col. Ryerse's to Townsend, and on the fifth day the men threshed seven bushels of wheat and took it to Sovereign's mills. But the miller was not at home, and as a last resort on the seventh day the grist was ground by one of Burwell's own men.

On Sunday, September 10th, Mr. Burwell records in his journal, "I took a Boy and Two Horses whom I had engaged to Pack the Flour and Pork to the Survey on the Old Road, had much trouble on account of Logs, Brush, Briers, &c., but Reached Big Creek." Next day the provisions were packed into Houghton, "and it took us faithfully all day to proceed Seventeen Miles." There a deposit was made, and taking a supply they proceeded to resume work at the point they had left twelve days before. Such is an instance from life in Norfolk county ninety years ago.

In 1810, besides finishing the survey of Talbot Road East, Mr. Burwell surveyed the southern part of the township of London, which was believed to be suitable for the cultivation of flax. "I kept a Proof Line in the centre of the Township," he wrote to the Surveyor General's office, "that my Survey might be as correct as possible, on which I Proved every Concession Line that I run, by measuring on the said Proof line, and can say that the operation is very correct." This was the origin of the name of the road which leads out of the city of London to the north boundary of the township. He also received instructions to survey the vacant land between Houghton and Yarmouth, and to divide it, if sufficiently extensive, into two townships, under the names of Malahide and Bayham. The work was done accordingly, and under date of February 12th, 1811, the Lieutenant Governor commanded his secretary to acquaint the Surveyor General that "the townships of Malahide and Bayham are to be annexed to the county of Middlesex." In making this survey Mr. Burwell selected a block of land in Bayham at the mouth of Big Otter creek, a part of which was subsequently surveyed for a town plot and called Port Burwell. Writing of that region to the Surveyor General in June, 1815, he said: "Otter creek discharges more Water than all the small Rivers which disembogue themselves into the North side of lake Erie excepting the Grand River. When a few drifts are cleared out of it, Boats may descend from the Mills in Norwich to its mouth, at almost any Season of the year. There are beautiful Groves of White Pine Timber, on each side of the Creek, interspersed with Groves of other Timber, alternately; there is therefore no doubt, but what ere long considerable quantities of Lumber will be conveyed down that stream, from Norwich and other places to the Lake. It would appear as if Nature had intended the mouth of Big Otter Creek for a place of greater importance than any other in the District of London. In my mind it is highly probable that such will be the case before many years. I am about to lay out what Land I own on the East side of the mouth in a Town Plot." At the same time he encouraged the Government to lay out an adjacent lot held as a reserve for the same object; and "if it should meet with the approbation of His Excellency the Provisional Lieutenant Governor, it would much facilitate the future growth of that part of the Province, to have it laid out by the Government, for a Town at the mouth of Big Otter Creek." But these bright anticipations have not been realized, and although the town is beautiful for situation, it has been for many years a finished town. Like its neighbor town, Vienna, on the same stream, its glory departed when the last of the Big Otter pine was cut.

The north branch of Talbot Road was laid out in 1811, the object of it being to connect the main line of the Talbot Settlement with the road through Westminster. Its western end is at the Dunwich and Southwold line, where the village of Iona now is, and it extends eastward through Southwold parallel with the main

road, to a point where five roads converge, long known as Five Stakes, but now called Talbotville Royal. Thence the road runs north to join the Talbot Longwoods Road in Westminster at a place formerly known as the Junction, but now called Lambeth, six miles from the city of London.

An instruction was received the same year to survey under the direction of Col. Talbot a road from Port Talbot west near the shore of lake Erie to Amherstburg on the Detroit river, to be known as Talbot Road West. "In surveying the Road through Dunwich and Aldborough," Mr. Burwell wrote to the Surveyor General on October 24th, "Colonel Talbot directed that I should begin to number the Lots from his Mills and continue to the westward, which I have done, and also continued numbering them in succession as far as the Survey extends at present; without regard to the Townships through which they pass." Work was commenced on August 26th and was carried on until September 8th, when the survey reached lot 90, near the west side of Howard, and was then discontinued for the season.

It is likely that Mr. Burwell had before this time left his home in Bertie, as a deed dated February 25th, 1812, from Col. Talbot to him of a small piece of land in lot 24 of the 11th concession of Dunwich, describes him as of Port Talbot.* But the war between the United States and Great Britain, which had been threatening for several years, broke out in the summer of 1812, and until peace was again established surveying operations near the frontiers of this Province were suspended.

Only a few references to the war occur in Mr. Burwell's official letters, and no information is conveyed in them that he was engaged in military service. The report of the Loyal and Patriotic Society states, however, that he was active against the enemy on all occasions and became odious to them. The letters show that he was at the Niagara frontier in 1812 and 1813, when fighting was going on there, and that in the following year, when a small body of American soldiers ravaged the Port Talbot settlement, he was carried off as a prisoner of war and his maps and instruments destroyed. A map of Malden had been given by him to Proctor when that General was on his way to take command at Amherstburg in 1812, which was afterwards taken by the enemy and destroyed, with his papers. "The Plans of the other Townships I had deposited, with the Instruments and other appendages of my Surveying Establishment, at a person's House, where I thought they would not be likely to be suspected or discovered, but when the plundering party came through which swept the whole Settlement and captured me, all was taken and destroyed—and I have not been able to get properly equipped with Instruments yet." This was in explanation to the Surveyor General (November 4th, 1815) of the loss of plans of townships traversed by the projected Talbot Road West. One other reference to the war is worth quoting. It is found in Mr. Burwell's journal of the Talbot Road West survey under date of September 18th, 1816. "I passed the place in Front of Lot No. 177 (Tilbury East) where Major Holmes of the United States Army had encamped a Day or two, when on their intended expedition against Port Talbot in time of the late War. I find here, as well as upon every other occasion, when they have remained all night in our Woods, they have felled large Trees flat to the Ground all round their Encampment, to serve as a Breast Work in the event of an attack. Two Field Pieces and ammunition Waggons were left here by Major Holmes, which were destroyed by the Loyal Essex Rangers. The Carriages were burnt, and the Guns and ammunition were carried back and deposited in a Black Ash Swamp where they remained until the Treaty of Peace." The Major Holmes of this record is no doubt the same officer as the Colonel Holmes commanding at Amherstburg, mentioned in Sir Gordon Drummond's dispatch of May 27th, 1814.

The survey of Talbot Road West was resumed by Mr. Burwell in the summer of 1816, and under instructions the western terminus was fixed at Sandwich instead of Amherstburg. The final report upon it was not sent in until the end of 1824.

The first settlements in Kent county were formed upon the river Thames, and after the Talbot Road began to be opened up a scheme was proposed to the Government by Col. Talbot for a main road to follow as nearly as practicable the height of land between lake Erie and river Thames across the county. This was referred

* Mr. Gill, the registrar of London, informs me that Mr. Burwell was appointed registrar of Middlesex in 1811, and that the first deed was registered by him May 28th of that year. The first registry office for the London and Western Districts was established February 20th, 1801, and the seat of the office was at Turkey Point, with Thomas Homer as registrar. The office was afterwards removed to Vittoria, and again to Princeton.

LOT 177 2
HEWARD
Now The
of the White
Co.
Purification
and office
north side
Talbot-Road
No 3. H.

to Mr. Burwell, and reporting thereon to the Surveyor General in August, 1821, he expressed the opinion that the laying out of a Middle Road on the highest ground or dividing ridge would tend much to quicken and consolidate the settlements between those waters. The work was entrusted to himself, but as the road as finally laid out extended from a point of junction with the Talbot Road in the township of Sandwich eastward to the county line between Kent and the present county of Elgin, it was not completed until September, 1825. The last division of the survey is the most easterly, being in the township of Orford, and as the height of land there is very irregular it was found necessary to alter the direction of the road frequently. There are in all twenty-eight courses across the township, which has a width of $6\frac{3}{4}$ miles, and only one lot has a straight front. A large tamarac swamp was met with on the way, and there is a tradition that Mr. Burwell was nearly defeated in the effort to find a pass through it. The situation was reported to Col. Talbot, who with his usual urbanity directed the surveyor to follow the ridge. "Follow the ridge, if it takes you to—Hades." But I need not say that Col. Talbot used another word.*

There are many matters of interest connected with surveys of the townships north of the Thames, and of Indian reserves there and on the St. Clair river and lake Huron in Lambton county; and there are also some interesting observations of natural history that deserve attention. But these must be left unnoticed in this paper, in order that its short remaining space may be devoted to the largest of Mr. Burwell's undertakings in his later years as a land surveyor.

The Government of the Province in 1825 made provisional terms with the Chippewa Indians of the London and Western Districts for the surrender of 2,200,000 acres lying to the north and west of former cessions, and about the same time it entered into an agreement with the Canada Company for a transfer of 1,000,000 acres of the same land, in a block which afterwards became famous as the Huron Tract. By order from the Surveyor General's office of July 6th, 1827, the survey of the northern boundary of the new purchase was undertaken by Mr. Burwell, and the work was carried on and completed during the months of September, October and November. Provisions for the expedition were purchased at Guelph, and were packed northward to the starting point of the line, at the northwest corner of Garafraxa. A journal entry of September 19th reads: "Met Mr. Galt near Guelph, who invited me to dine on Friday the 21st Instant at his House near Burlington Bay;" and under the latter date is this entry: "Went to Dine with Mr. Galt at his House—was civilly treated—an agricultural party—Mr. Galt proposed that I should be a member of the Agricultural Society of which he is the head. I declined. Did not know that it was an agricultural meeting until after the cloth was removed. Left Mr. Galt's about 10 o'clock P.M. and slept at Mr. Beasley's." This is the nearest approach to a supercilious tone that I have discovered in all of Mr. Burwell's official writings. But no one could have more heartily enjoyed the scorn of the land surveyor than John Galt himself.

The survey of the line was commenced on October 4th. Ten days were spent in running $18\frac{3}{4}$ miles, as progress was much hindered by dense swamps of cedar, tamarac and spruce. Then the head waters of the Menesetung river (now called the Maitland) were reached, and a very fine country was entered. During the next ten days the line was run $29\frac{1}{2}$ miles, and the river was crossed frequently. In four days more, during which the survey bore away northward from the river, lake Huron was reached at 59 miles 39 chains from the starting point. Storms of rain, hail and snow were frequent, and the actual running time was only nineteen days.

The return journey occupied six days, and was made disagreeable by storms of rain and snow, and by the swollen waters of the river, which had to be frequently forded. The stores of provisions which had been left at various points for the return trip were found to be destroyed by wild animals, and it was observed that bears, wolves, foxes, fishers and martens had followed the party along the line. A note of Natural History is entered in the journal of November 3rd, upon the authority of the Indians. "The Deer all appear to have left Lake Huron, some time ago, for the Shores of Lake Erie, where the Snow does not fall so deep, and

* I heard this story from the late John Sinclair, who moved from Aldborough into Orford in 1832, and took up a lot on the Middle Road. My father, the late John Blue, was the second settler on this road in Orford, having been located by Col. Talbot late in 1826 or early in 1827. His nearest neighbor was four miles away, and the woods were alive with turkeys, deer and wolves.

this the Chippewa Indians inform me is uniformly the case with them every Autumn, to avoid being taken by the Wolves during the deep snow of this neighborhood, which is frequently crusted over." This is doubtful, and I do not think it has been confirmed by observation elsewhere in our country.

The instances are exceedingly rare in which the land surveyor unbends himself in the letters and journals of Mr. Burwell, and one might suppose that the beauties of landscape and of woodland scenery were unappreciated by him. But over the Huron Tract he grew almost eloquent. "Notwithstanding the fatigues and privations attendant on such a tour," he reports to the Surveyor General, "I have had great pleasure in Surveying the purchase line—the country through which it passes is magnificently fine. The River Menesetung is about half the size of the Thames. It is a fine River of pure clear water. Its banks afford numerous eligible situations for country seats to the right and left, sufficiently elevated and in variety to add beauty to their appearance, and in general they are easy of access, and the Flats extensive. When you are in possession of the Field Notes, Map, and report of the Survey of the purchase line, and the exploring expedition for the Canada Company in detail you cannot fail to feel a deep interest in this part of the country."* It would be a wonder indeed if a stream of so much picturesque beauty flowed on forever without a poet to write a verse in praise of it. The Menesetung has its singing lover, and although I think his genius has been nurtured overmuch on the metrical version of the Psalms of David, he sings out of the heart with a swelling note and a touch of Robert Burns.†

Unknown to fame thy waters run,
Past groves of living green ;
And all obscure they gently flow
Thy leafy banks between ;
Thy beauties ne'er have found a voice,
Thy charms are yet unsung ;
Be mine to sing in humble strains
Thy praise, Menesetung.

No tumbling torrent roaring down
Its rocky bed art thou ;
Thy peaceful waters murmuring low
Kiss soft each nodding bough ;
The sombre cedars bathe their limbs
Thy crystal depths among ;
And mirror'd hemlocks sigh to thee,
Oh, fair Menesetung !

The dappled trout in many a pool
Their speckled beauties hide,
Or, startled from their shy retreat,
Swift down thy current glide ;

* Menesetung, as the word was written by Burwell, is stated by him to signify in the Chippewa language a large, open harbor. In a private letter to Ridout he says: "The Canada Company have called it the Nocton, after an estate of the Father of Lady Goderich in England, and they have called the mouth of the River Goderich Harbor." Mr. J. C. Bailey, the railway engineer, who is one of the best of our local authorities, writes in reply to an enquiry: "Goderich, or in that neighborhood, was called by the Indians Ma-ne-se-tung. So, if the Maitland river was called after the village—as the rivers generally are—it should have the word 'se-be' after it, which means a river, and should then read Ma-ne-se-tung-se-be. Me-nis means an island; Me-nis-ing, in, at or on an island; Me-ne-ting, an island in a river; Me-ne-te-goje-wun, an island in a rapid." At about 25 miles from the starting point of the purchase line survey it is described by Burwell as "a fine River with Islands, gentle banks, and Stony bottom."

† The writer is my associate in the Bureau of Mines, Mr. Thomas W. Gibson, who was born in the village of Wroxeter, on the banks of the Maitland.

The wild canary builds her nest,
 And rears her timid young
 Upon thy calm sequestered banks,
 Oh, sweet Menesetung !

No lordly ships thy bosom bears,
 Slow-moving, one by one,
 Unknown, obscure, thou turnest still
 Thy bright face to the sun ;
 But while my heart within me beats
 Till life's last change is rung,
 I'll love thee still, and love thee well,
 Oh, dear Menesetung !

But if an idea that once possessed some leading men of the Canada Company had taken substantial shape, the "lordly ships" might have become a moving feature on the bosom of the Menesetung. Mr. Burwell was strongly impressed with the practicableness of the scheme ; and in his report to the Surveyor General he ventured the opinion that the river might be the means of affording greater facilities for making a canal to pass between its banks and communicate between lake Huron and lake Ontario than any other that could be selected for the purpose. This river, he observed, passed through a very fertile tract of country, and discharged itself at a good position into lake Huron, so that a canal in its direction could not fail to produce very great advantages as well in a commercial as in a military point of view. "In producing the purchase line from its place of beginning, after crossing several rills trending in Northwesterly directions, I crossed the Menesetung in the 21st Mile at which place it is 80 links wide, and 18 inches deep, coming from the North East and affording I should think a sufficiency of Water for a canal. Between the 21st mile and the 45th mile, the line crosses the Menesetung, which constantly increases in size, seventeen times alternately, when it leaves the line and trends southerly to where it disembogues itself into lake Huron. Its general course is westerly, watering equally well the tract of country not yet conceded to His Majesty's Government with the late purchase. The rapidity of its current will compare with that of the River Thames, or Grand River, excepting that for several miles above the outlets of those rivers, their waters are apparently dead while the current of the Menesetung continues to within half a mile of its entrance into Lake Huron. The Grand River having its source nearly upon the summit level of the lands between Lake Ontario and Lake Huron, and being sufficiently large to afford feeders to a canal to both right and left, I conceive that the difficulty of connecting its waters with those of the Menesetung and the 12 Mile creek might be accomplished with more ease, and at less expense of excavation than might be at present anticipated. I should think that a position some ten, or fifteen miles above the Falls of the Grand River might be the best ; from whence a connection could be made with the waters of the 12 Mile creek, along the side of which the canal could be taken to Lake Ontario. Should such a work be undertaken, and a position selected for crossing the Grand River at, or near the Falls, the feeder could be brought from a sufficient distance up the Grand River to avoid any increase in the expense of excavation save that of the feeder, and then if it was thought expedient, the Canal might be taken past the Town of Guelph, and connected with head waters of the 12 Mile creek in Flamboro' East, not far from the Road which has lately been surveyed from Guelph to the rear of the Flamboro's, or if no obstacle should prevent it, pass directly to the Canal at Burlington Bay." But nothing was attempted, and however feasible the project might have been when the whole country was in forest, and the streams were full and strong-flowing throughout the year, it is scarcely possible under present conditions that it can ever be revived.

There are a number of other interesting matters in the Burwell letters and journals that I would gladly have touched upon, but my paper is already much

too long. In the preparation of it one of my aims has been to direct the attention of others who have more leisure than myself, and who possess historical tastes and gifts, to a treasure house of material which no one has yet ventured to explore or work over, and of which the Burwell letters and journals are a very little part. But whoever will undertake to exploit that treasure house with any degree of intelligence and thoroughness will soon become convinced that there is necessity for a new departure in the care of its contents, which ought to be treated as possessing great historical as well as official value. If we cannot have a Reference Library for the Province, with a Librarian possessing industry and genius in charge of it, established upon the scheme conceived and matured by the Canadian Institute, let us at least have a Provincial Archivist, whose office should be the collection and care of every paper, and letter, and record, and document that concerns the public and official business of the Province.

BIOGRAPHICAL NOTE. The Burwells are an old family, whose homes in England were in Bedford and Northampton. More than two and a half centuries ago some of them came to America, settling in Virginia. They were loyal to Charles I. throughout the Civil War, and some were loyal to George III. in the American War of Independence. In Sabine's *Loyalists* a sketch of one James Burwell of New Jersey shows that he served the King seven years, having enlisted in 1776, that he came to Upper Canada in 1796 where he received 200 acres for himself and each of his children, that he removed to the Talbot Settlement in 1810 and died there in 1853, aged 99 years five months. He was probably related to Adam Burwell, but that is uncertain. The latter was also a native of New Jersey, and came to Canada with his wife and family after the war. The records show that he settled in the township of Bertie, and that in 1797 he received a grant of 850 acres of land for military service; but the petition in which his claims were set out appears to be lost. There is a tradition in the family that he had large possessions in New Jersey, and that they were confiscated by the Government of the United States. Adam Burwell spent the later years of his life with his son, Col. Burwell. He died in 1828 at the age of 79, and was buried beside the walls of the English church in St. Thomas. His eldest son was the Mahlon Burwell of the foregoing paper, who was born in New Jersey February 18th, 1783, studied land surveying, and through the influence of Col. Talbot got professional employment from the Government. In 1811 Mahlon Burwell was appointed Registrar of land titles for the District of Middlesex, and in 1812 he was elected to represent the Districts of Middlesex and Oxford in the Legislative Assembly of Upper Canada. He held the rank of Lieutenant Colonel of militia at this time, and during the war of 1812-14 was active against the enemy on all occasions, and became odious to them, although there is no record of his being in any battle of the war. In 1814 a band of Americans raided the Talbot Settlement, and although Col. Burwell was in his bed, ill of fever and ague, he was carried off a prisoner and held for many weeks in Ohio or Kentucky. In a second raid his buildings were destroyed by fire and his family was driven off. In 1815 he was established in Southwold, where the Talbot Road crosses the townline between Dunwich and Southwold, afterwards known as Burwell Park. A new Registry building was erected there in which the office was kept until by authority of an Act of the Legislature it was removed to London in May, 1843. Col. Burwell was re-elected to represent Middlesex and Oxford in 1816 and again in 1820. A redistribution took place before the next general election in 1824, and John Matthews and Dr. John Rolph were chosen to represent Middlesex. They were successful again in 1828, and referring to this contest in a private letter to Hon. Thomas Ridout (Aug. 22nd, 1828) Col. Burwell wrote: "Our Election lasted 6 days—when the Poll closed the votes stood—for Rolph 340—Matthews 317—Burwell 305 & Hamilton 275, Matthews 12 over me, and many of my Friends not allowed time to vote, although returned to the poll two or three times for that purpose." In 1830 Burwell was successful in Middlesex, but was defeated in 1834, and in 1836 he became the first representative of London town. During the whole of this period he held the offices of Registrar and Postmaster, and was almost constantly

employed by the Government as a surveyor of Crown lands. But in those days the provisions of the Act for the Independence of Parliament were not as rigid as they are now. Col. Burwell had a family of seven sons, all but two of whom were named after great soldiers, viz., Alexander, Hercules, Isaac Brock, Leonidas, John Walpole, Hannibal and Edward. He had also two daughters, Louise and Mary. Of these only Edward and Mary are now living. All except Alexander and Louise are named in the will, which was executed eight days before Col. Burwell's death, and Alexander is no doubt the child referred to in a pathetic note to the Surveyor General (Dec. 20th, 1817) written to explain delay in reporting a survey in Westminster. "You would have received the report long since, had it not been for a most dreadful circumstance which occurred in my Family in October last, which deprived me of the use of my right hand for more than two months—A little son of mine two and a half years old was scalded to death, and in taking him out of the boiling water I scalded my Hands as related, but my right hand the worst." One ambition of Col. Burwell's life was to found a family, and with this object he memorialized the Governor in Council in 1829 for permission to extinguish his claim for 10,000 acres of land held in small isolated areas and receive in lieu thereof a block of 10,000 acres on lake Huron, adjoining the southern boundary of the Canada Company's territory, wherewith to make an entailed estate to his heirs forever. But no action appears to have been taken in the matter, and the records do not even show that the memorial was considered. But the idea possessed Col. Burwell's mind to the end, and by the terms of his will it was provided in the case of each of the sons that the lands bequeathed should be held to himself and his male heirs forever, and in the event of anyone of the sons dying without issue the lands should descend to the next son and his male heirs. "I have willed thus to fasten the before mentioned freehold estates upon my children and their heirs forever because my own experience, which has been extensive in this Province, and History have shewn me that children place less value on that which is given them than that which they acquire by their own care and industry; and because I have acquired the estates so willed and devised by a steady perseverance and laborious industry in my profession as a surveyor of lands, of which my heirs can never be sensible: I exercise this moral, legal and conservative right for their benefit: And when advanced in age my heirs in all time to come if they be sensible persons will know how to appreciate the soundness of my motives." Ermatinger, who has written unjustly and unkindly of Col. Burwell (Life of Col. Talbot), says he was tall in stature and dignified in appearance.

